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ZONING BOARD OF APPEALS

Sherri Boivin, Board Secretary

NOTICE OF DECISION

A Public Hearing has been held with regard to the following petition before the City of Newton Zoning Board of Appeals. The decision was determined as follows:

#13-05 from Edmund Yu, 3 Botsford Road, Chestnut Hill, MA, requesting multiple variances for property located at 27 Timson Path, Oak Hill Park, Newton, in order to legalize an existing noncompliant dwelling and to construct a two story addition, new foyer and two car garage addition. Petitioner requests a .33 foot variance from the front yard setback requirements of the Newton Revised Zoning Ordinances, Section 30-15, Table One to legalize the existing noncompliant dwelling, resulting in a front setback from Timson Path of 24.67 feet. **The petitioners' request for a variance from the front yard setback requirements was granted, subject to conditions, 5-0.** Second, petitioner requests a .9 foot variance from the front yard setback requirements for the northwesterly corner of a two story addition, resulting in a front setback from Timson Path of 24.10 feet. **The petitioners' request for a from the front yard setback requirements was denied, 5-0.** Third, petitioner requests a 1.22-foot variance from the front yard setback requirements for a two-story deck, resulting in a front setback from Timson Path of 23.78 feet. **The petitioners' request for a variance from the front yard setback requirements was denied, 5-0.** Fourth, petitioner requests a 2.84-foot variance from the front yard setback requirements for a new foyer addition, resulting in a front setback from Timson Path of 22.16 feet. **The petitioners' request for a variance from the front yard setback requirements was denied, 5-0.** Fifth, petitioner requests a 10.83 foot variance from the front yard setback requirements for a two car garage addition, resulting in a front setback from Timson Path of 14.17 feet. **The petitioners' request for a variance from the front yard setback requirements was denied, 5-0. (Required front yard setback for *old lots* created before December 7, 1953 is 25 feet.)** The property is located in a Single Residence 2 district.

Any appeal of the above decision must be made to the Superior Court within twenty (20) days of its filing with the City Clerk in accordance with Section 17 of the Massachusetts General Law, Chapter 40A.

Decision number 13-05 was filed on November 15, 2005.